

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JONATHAN W. ARRINGTON,
MICHAEL B. KRATVILLE, and,
MICHAEL J. WELKE,

Defendants.

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8:13CR146

ORDER

This matter is before the court on the motion for a continuance of the trial scheduled for July 28, 2014, and for a Rule 17.1 conference by defendant Michael B. Kratville (Kratville) (Filing No. 83). The motion will be granted.

IT IS ORDERED:

1. The motion to continue the trial of this matter (Filing No. 83) is granted. Trial of this matter is continued *sine die*.

2. The request for a Rule 17.1 conference (Filing No. 83) is granted to the extent Magistrate Judge Thalken will hold a telephone conference with all counsel for the purpose of rescheduling the trial of this matter. Counsel for Kratville shall arrange for and initiate such a telephone conference within the next ten working days.

3. The additional **time** arising as a result of the granting of the motion, i.e., the time between **May 1, 2014, and the new trial date to be established**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 1st day of May, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge